

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST LITIGATION

Case No. 0:18-cv-01776-JRT-JFD

This Document Relates To:

ALL ACTIONS

**JOINT MOTION REGARDING
CONTINUED SEALING**

Documents have been filed under temporary seal in connection with the following motion:

Commercial and Institutional Indirect Purchaser Plaintiffs' Motion to Certify Class	Doc. No. 1334
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Pursuant to LR 5.6, the parties submit this Joint Motion Regarding Continued Sealing.

DKT. NO.	DKT. NO. OF REDACTED VERSION (IF FILED)	DESCRIPTION OF DOCUMENT	PRECISELY IDENTIFY: a) The information that the parties agree should remain sealed; b) The information the parties agree should be unsealed; and c) The information about which the parties disagree.	NONPARTY THAT DESIGNATED DOC. CONFIDENTIAL (IF ANY)	REASON WHY DOCUMENT SHOULD REMAIN SEALED OR BE UNSEALED
1428	1338	Commercial and Institutional Indirect Purchaser Plaintiffs' Memorandum in Support of Motion for Class Certification and Appointment of Lead Counsel and Plaintiffs' Steering Committee	The Parties agree that the redacted information should remain redacted.		Redacted portions of the document contain and/or discuss confidential business information and methods of parties and third-parties.

1429	N/A	<p>Exhibits 5-6 to the Declaration of Blaine Finley in Support of Commercial and Institutional Indirect Purchaser Plaintiffs Motion to Certify Class</p>	<p>CIIPPs' position: A redacted copy should be filed with only minimal redactions. Those redactions are limited to discussions of confidential data produced by third parties.</p> <p>Defendants' position: The document should remain sealed.</p>	<p>CIIPPs' Position: Redactions of third party data is manageable, and due to the passage of time, information initially designated as confidential by Defendants is no longer confidential. CIIPPs' proposed redactions are attached as Exhibit A.</p> <p>Defendants' position: The exhibit contains a significant volume of citations to and discussion of documents and testimony that contains confidential business information and methods of parties and third parties, including sales data for both. Given the voluminous citations and extensive discussion, redactions are impractical.</p>
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1429-1	N/A	Exhibits 9-14 to the Declaration of Blaine Finley in Support of Commercial and Institutional Indirect Purchaser Plaintiffs Motion to Certify Class	CIIPPs' position: The document should be unsealed in its entirety. Defendants' position: The document should remain sealed, as it is a compilation of exhibits that contains and/or discusses confidential business information and methods of parties and third-parties, and redaction is impracticable.		CIIPPs' Position: Due to the passage of time, information initially designated as confidential is no longer confidential. Defendants' position: The compilation of exhibits contains and/or discusses confidential business information and methods of parties and third-parties, and redaction is impracticable.
1429-2	N/A	Exhibits 19-20 to the Declaration of Blaine Finley in Support of Commercial and Institutional Indirect Purchaser Plaintiffs Motion to Certify Class	Parties agree document should be unsealed.		The document should be unsealed in its entirety.
1429-3	N/A	Exhibits 22-23 to the Declaration of Blaine Finley in Support of Commercial and Institutional Indirect Purchaser Plaintiffs Motion to Certify Class	Parties agree document should be unsealed.		The document should be unsealed in its entirety.

1429-4	N/A	Exhibits 25-28 to the Declaration of Blaine Finley in Support of Commercial and Institutional Indirect Purchaser Plaintiffs Motion to Certify Class	CIIPPs' Position: The document should be unsealed in its entirety. Defendants' position: The document should remain sealed, as it is a compilation of exhibits that contains and/or discusses confidential business information and methods of parties and third-parties, and redaction is impracticable.		CIIPPs' Position: Due to the passage of time, information initially designated as confidential is no longer confidential. Defendants' position: The compilation of exhibits contains and/or discusses confidential business information and methods of parties and third-parties, and redaction is impracticable.
1429-5	N/A	Exhibits 30-69 to the Declaration of Blaine Finley in Support of Commercial and Institutional Indirect Purchaser Plaintiffs Motion to Certify Class	CIIPPs' Position: The document should be unsealed in its entirety. Defendants' position: The document should remain sealed, as it is a compilation of exhibits that contains and/or discusses confidential business information and methods of parties and third-parties, and redaction is impracticable.		CIIPPs' Position: Due to the passage of time, information initially designated as confidential is no longer confidential. Defendants' position: The compilation of exhibits contains and/or discusses confidential business information and methods of parties and third-parties, and redaction is impracticable.

1429-6	N/A	Exhibits 71-84 to the Declaration of Blaine Finley in Support of Commercial and Institutional Indirect Purchaser Plaintiffs Motion to Certify Class	CIIPPs' Position: The document should be unsealed in its entirety. Defendants' position: The document should remain sealed, as it is a compilation of exhibits that contains and/or discusses confidential business information and methods of parties and third-parties, and redaction is impracticable.		CIIPPs' Position: Due to the passage of time, information initially designated as confidential is no longer confidential. Defendants' position: The compilation of exhibits contains and/or discusses confidential business information and methods of parties and third-parties, and redaction is impracticable.
1473	N/A	Opposition to Motion Certify Class	Parties agree that the documents should remain sealed, but a redacted copy should be filed with only minimal redactions. Those redactions are limited to discussions of confidential data produced by third parties.		Documents should be unsealed except portions discussing confidential business information of third parties.
1480	N/A	Sealed Exhibit List to the Declaration of Peter J. Schwingler in Support of Memorandum in Opposition to Motion for Class Certification	Parties agree document should be unsealed.		The declaration should be unsealed as the exhibits thereto will be either unsealed or remain sealed as described below in entries 1480-1 through 1480-9.

1480-1	N/A	Exhibit 1 to the Declaration of Peter J. Schwingler in Opposition to Commercial and Institutional Indirect Purchaser Plaintiffs Motion to Certify Class	Parties agree document should remain sealed.	The Distribution Group d/b/a Van Eerden Food Service	Exhibit consists of excerpts of deposition transcript designated as highly confidential by third party.
1480-2	N/A	Exhibit 2 to the Declaration of Peter J. Schwingler in Opposition to Commercial and Institutional Indirect Purchaser Plaintiffs Motion to Certify Class	Parties agree document should be unsealed.		Parties agree document should be unsealed.
1480-3	N/A	Exhibit 3 to the Declaration of Peter J. Schwingler in Opposition to Commercial and Institutional Indirect Purchaser Plaintiffs Motion to Certify Class	Parties agree document should be unsealed.		Parties agree document should be unsealed.
1480-4	N/A	Exhibit 4 to the Declaration of Peter J. Schwingler in Opposition to Commercial and Institutional Indirect Purchaser Plaintiffs Motion to Certify Class	Parties agree document should be unsealed.		Parties agree document should be unsealed.

1480-5	N/A	Exhibit 5 to the Declaration of Peter J. Schwingler in Opposition to Commercial and Institutional Indirect Purchaser Plaintiffs Motion to Certify Class	Parties agree document should be unsealed.		Parties agree document should be unsealed.
1480-6	N/A	Exhibit 6 to the Declaration of Peter J. Schwingler in Opposition to Commercial and Institutional Indirect Purchaser Plaintiffs Motion to Certify Class	Parties agree document should be unsealed.		Parties agree document should be unsealed.
1480-7	N/A	Exhibit 7 to the Declaration of Peter J. Schwingler in Opposition to Commercial and Institutional Indirect Purchaser Plaintiffs Motion to Certify Class	Parties agree document should remain sealed.	The Distribution Group d/b/a Van Eerden Food Service	Exhibit consists of excerpts of deposition transcript designated as highly confidential by third party.
1480-8	N/A	Exhibit 8 to the Declaration of Peter J. Schwingler in Opposition to Commercial and Institutional Indirect Purchaser Plaintiffs Motion to Certify Class	Parties agree that the document should remain sealed, but a redacted copy should be filed with only minimal redactions. Those redactions are limited to discussions of confidential data produced by a third party.		Exhibit consists of excerpts of deposition transcript which contains discussions of confidential data produced by a third party.

1480-9	N/A	Exhibit 9 to the Declaration of Peter J. Schwingler in Opposition to Commercial and Institutional Indirect Purchaser Plaintiffs Motion to Certify Class	Parties agree document should be unsealed.		Parties agree document should be unsealed.
1632	1633	Reply Memorandum in Support of Commercial and Institutional Purchaser Plaintiffs' Motion for Class Certification	The Parties agree that the redacted information should remain redacted.		Redacted portions of the document contain and/or discuss confidential business information and methods of parties and third parties.

1635	N/A	Exhibit 1 to the Declaration of Blaine Finley in Support of Commercial and Institutional Purchaser Plaintiffs' Reply in Support of Motion to Certify Class	CIIPPs' position: A redacted copy should be filed with only minimal redactions. Those redactions are limited to discussions of confidential data produced by third parties. Defendants' position: The document should remain sealed.		CIIPPs' Position: Redactions of third party data is manageable, and due to the passage of time, information initially designated as confidential by Defendants is no longer confidential. CIIPPs' proposed redactions are attached as Exhibit B. Defendants' position: The exhibit contains a significant volume of citations to and discussion of documents and testimony that contains confidential business information and methods of parties and third parties, including sales data for both. Given the voluminous citations and extensive discussion, redactions are impractical.
1635-1	N/A	Exhibit 12 to the Declaration of Blaine Finley in Support of Commercial and Institutional Purchaser Plaintiffs' Reply in Support of Motion to Certify Class	Parties agree document should remain sealed.	Pacific Foods Distributors	Exhibit consists of excerpts of deposition transcript designated as Attorneys Eyes Only by third party.

1778	N/A	Errata to Expert Reply Report of Michael A. Williams, Ph.D. Dated November 18, 2022	CIIPPs' position: Document should be unsealed in its entirety. Defendants' position: The document should remain sealed, but a redacted copy should be filed with only minimal redactions. Those redactions are limited to discussions of confidential data produced by third parties.		CIIPPs' Position: Due to the passage of time, information initially designated as confidential by Defendants is no longer confidential. Defendants' position: Document should be unsealed except portions discussing or quoting confidential business information of third parties. Defendants' proposed redactions are attached as Exhibit C.
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Dated: February 10, 2023

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Respectfully submitted,

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